

OFFICE OF THE LEGAL ADVISOR

Resource Summary

(\$ in thousands)

Appropriations	FY 2012 Actual	FY 2013 CR ⁽¹⁾	FY 2014 Request	Increase/Decrease From FY2012
Positions - Enduring	276	276	276	0
Enduring Funds	44,851	44,991	45,631	780

(1) The FY 2013 CR is based on the annualized continuing resolution calculation for FY 2013 (P.L. 112-175).

Program Description

The Office of the Legal Adviser (L) advises and represents the Department on all international and domestic legal policy issues in connection with U.S. foreign policy and the work of the Department.

L provides critical support for U.S. Government foreign policies worldwide - in particular, key initiatives in Iraq, Afghanistan, the Republic of South Sudan and the Arab Spring countries. The bureau helps to ameliorate and resolve political and humanitarian crises around the globe, and is a key component of efforts to fight international terrorism and other threats to U.S. security. L is instrumental in other important areas of work of the Department, including nonproliferation, human rights, the environment, law enforcement, and the rule of law.

L is also an essential partner in supporting the Department's management by providing legal advice on a wide range of matters: the expenditure of assistance and operating funds; the provision of consular services; passport and visa operations and border security; buildings and acquisitions; Department authorities; U.S. diplomatic and consular operations abroad; personnel systems for employees, including the Foreign Service and Civil Service; security of personnel and information technology; privileges and immunities; regulations and directives; domestic and foreign litigation; ethics and financial disclosure; and information law. L manages the U.S. Treaty Program and is responsible for defending and representing the United States before international bodies, such as arbitrations under the North American Free Trade Agreement and cases before the International Court of Justice.

L's overarching priorities include:

- Promoting the development of international law and its institutions as a fundamental element of U.S. foreign policy and advancing the rule of law. The United States relies on international law as a means to secure a peaceful world. The rule of law will remain an essential component of U.S. foreign policy initiatives.
- Providing timely, first-rate legal services on all legal issues, domestic and international, arising in the course of the Department's work. This includes focusing on key foreign policy objectives, as well as the pursuit of managerial and organizational excellence.
- Developing, conducting and managing the Treaty Program, extraditions, private international law, representing and defending the United States before international legal bodies, claims, and other programs for which L has lead responsibility, so as to meet the highest standards of program management and best serve the foreign policy, security, and public interests of the United States.

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Specific priority areas for FY 2014 will include:

- Developing and advocating for U.S. legal and legal policy positions, and presenting them to domestic and international audiences in order to advance U.S. interests.
- Continuing to perform a critical role in preventing and resolving humanitarian and political crises and conflicts.
- Supporting achievement of the Department's consular and management goals.
- Promoting global stability through robust counterterrorism initiatives, international law enforcement, and nonproliferation of weapons of mass destruction.
- Developing and defending an effective domestic and international legal framework to promote a healthy global economy and environment.
- Advocating for U.S. interests in domestic and international legal fora.

In support of international law priorities, L engages in a variety of activities including but not limited to supporting the Executive Branch to sustain international order and advance civilian security worldwide, extraditions, foreign acquisitions, implementation of international economic, energy, space, arctic and environmental policies, arms control and weapons proliferation issues, international treaties (U.N. Law of the Sea Convention, the U.N. Convention on the Rights of Persons with Disabilities, the Convention on the Elimination of all Forms of Discrimination Against Women, Torture Victim Protection Act and Alien Tort Claims Act). L must recruit and retain the best professional legal workforce available in the fields of international law, litigation, and various other legal disciplines. These ongoing endeavors will require sustained resources in FY 2014 to ensure that U.S. Government equities are fully supported by the rule of law and with respect for global human rights.

Justification of Request

The Department's FY 2014 Request of \$45.6 million for the Office of the Legal Adviser (L), a \$780,000 increase above the FY 2012 Actual, includes increases for domestic wages and price adjustments. The legal effort necessary to support the Department's operational capabilities worldwide is substantial and at a minimum will require these sustained resources in order to effectively respond in a timely, persuasive and comprehensive manner to the varied array of Departmental legal issues. The FY 2014 Request also includes \$200,000 to support full U.S. participation in the Venice Commission. The Venice Commission is the Council of Europe's expert advisory body on rule of law reform and compliance with fundamental rights and also provides assistance on request to any country. After the Arab Awakening the Commission is supporting constitutional and legal reform to Libya, Tunisia, Morocco and Jordan, countries where the U.S. has an interest in participating in assisting developing strong democratic institutions. The U.S. has in the past participated as an observer.

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	Positions					Funds (\$ in thousands)		
	American				Pos	Bureau	American	Funds
	CS	FS Dom	Overseas	FSN	Total	Managed	Salaries	Total
FY 2012 Actual	275	1	0	0	276	13,423	31,428	44,851
FY 2013 Estimate	275	1	0	0	276	13,563	31,428	44,991
FY 2014 Built-in Changes								
American COLA	0	0	0	0	0	5	294	299
Domestic Inflation	0	0	0	0	0	141	0	141
Total Built-in Changes	0	0	0	0	0	146	294	440
FY 2014 Current Services	275	1	0	0	276	13,709	31,722	45,431
FY 2014 Program Changes								
Venice Commission	0	0	0	0	0	200	0	200
Total Program Changes	0	0	0	0	0	200	0	200
FY 2014 Request	275	1	0	0	276	13,909	31,722	45,631

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Staff and Funds by Domestic Organization Units

(\$ in thousands)

Office of the Legal Advisor (L)	FY 2012			FY 2013			FY 2014			Increase/Decrease		
	Actual			CR			Request			From FY2012		
	Am	FSN	Funds	Am	FSN	Funds	Am	FSN	Funds	Am	FSN	Funds
African and Near Eastern Affairs	6	0	399	4	0	400	6	0	415	0	0	16
Buildings and Acquisitions	8	0	771	7	0	773	8	0	802	0	0	31
Consular Affairs	8	0	1,833	15	0	1,837	8	0	3,561	0	0	1,728
Deputy Legal Advisers	17	0	1,833	17	0	1,837	16	0	1,910	(1)	0	77
Diplomatic Law and Litigation	9	0	1,116	9	0	1,119	9	0	1,163	0	0	47
East and South Asian Affairs	5	0	717	5	0	718	5	0	746	0	0	29
Economic and Business Affairs	11	0	1,143	10	0	1,146	11	0	1,190	0	0	47
Employment Law	32	0	2,978	24	0	2,985	32	0	3,102	0	0	124
European Affairs	3	0	371	3	0	372	3	0	387	0	0	16
Executive Director	19	0	2,066	14	0	2,075	20	0	2,148	1	0	82
Human Rights and Refugees	11	0	1,488	12	0	1,491	11	0	1,552	0	0	64
International Claims and Investment Disputes	38	0	15,869	41	0	15,931	38	0	13,807	0	0	(2,062)
Law Enforcement and Intelligence	13	0	1,833	16	0	1,837	13	0	1,910	0	0	77
Legal Adviser	4	0	399	4	0	400	4	0	415	0	0	16
Legislation and Foreign Assistance	8	0	743	6	0	745	8	0	774	0	0	31
Management	15	0	1,778	13	0	1,781	15	0	1,855	0	0	77
Non Proliferation and Verification	9	0	1,488	12	0	1,491	9	0	1,552	0	0	64
Oceans, International Environmental & Scientific Affairs	10	0	854	12	0	857	11	0	887	1	0	33
Political-Military Affairs	10	0	1,842	13	0	1,849	10	0	1,912	0	0	70
Private International Law	6	0	1,193	5	0	1,199	6	0	1,234	0	0	41
Public Diplomacy and Public Affairs	7	0	771	7	0	773	7	0	802	0	0	31
Treaty Affairs	16	0	1,889	16	0	1,894	15	0	1,968	(1)	0	79
United Nations Affairs	6	0	744	6	0	746	6	0	775	0	0	31
Western Hemisphere Affairs	5	0	733	5	0	735	5	0	764	0	0	31
Total	276	0	44,851	276	0	44,991	276	0	45,631	0	0	780

Funds by Object Class

(\$ in thousands)

Office of the Legal Advisor (L)	FY 2012 Actual	FY 2013 CR	FY 2014 Request	Increase/Decrease From FY2012
1100 Personnel Compensation	25,349	25,355	25,602	253
1200 Personnel Benefits	6,761	6,762	6,827	66
2100 Travel & Trans of Persons	251	254	260	9
2300 Rents, Comm & Utilities	631	638	654	23
2400 Printing & Reproduction	180	182	187	7
2500 Other Services	7,510	7,588	7,781	271
2600 Supplies and Materials	114	115	118	4
3100 Personal Property	42	42	44	2
4100 Grants, Subsidies & Contributions	4,013	4,055	4,158	145
Total	44,851	44,991	45,631	780